

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-17. (Cancelled)

18. (Currently Amended) A method for performing a scheduling algorithm in a scheduler of a wireless communication system, comprising the steps of:

obtaining from a communication unit a minimum resource parameter that ~~wherein said minimum resource parameter indicates a minimum number of allocation units scheduled for a user or service of resources allocated to the communication unit in a scheduling frame to meet a resource constraint of the communication unit, and~~

scheduling, in the scheduling frame, resources allocation units for radio access to the communication unit wherein the resources are scheduled in the allocation units and ~~in a scheduling frame~~ in accordance with the minimum resource parameter,

wherein the allocation units are scheduled to the communication terminal only if the minimum number of allocation units indicated by the minimum resource parameter can be scheduled for the service or user within the scheduling frame.

19-20. (Cancelled)

21. (Currently Amended) The method according to claim 18, wherein the minimum resource parameter represents a minimum number of information bits per scheduling frame for the ~~the~~ [[a]] user or the ~~the~~ [[a]] service.

22. (Currently Amended) The method according to claim 18, wherein the minimum resource parameter represents a minimum ratio of processed information bits to ~~an~~ the expended processing and operating power spent during the radio access in the communication unit.

23. (Currently Amended) The method according to claim 18, wherein the minimum resource parameter represents a sufficient quantity to exceed a power efficiency threshold in the [[a]] scheduling frame.

24. (Previously Presented) The method according to claim 18, wherein the minimum resource parameter is signaled periodically from the communication unit to the scheduler.

25. (Previously Presented) The method according to claim 18, wherein the minimum resource parameter is signaled from the communication unit to the scheduler upon request by the scheduler.

26. (Currently Amended) The method according to claim 18, wherein the obtaining of the signaling of the minimum resource parameter is initiated by the communication unit upon fulfillment of power management conditions.

27. (Currently Amended) The method according to claim 18, wherein the scheduling ~~step~~ includes considering in addition at least one of the ~~following~~ scheduling parameters of channel condition, amount of data available for transmission, Quality of Service (QoS) ~~quality of~~

service, delay, data rate and carrier to interference ratio.

28. (Previously Presented) The method according to claim 18, wherein the scheduling frame has at least one of a time division, frequency division or code division frame structure.

29. (Currently Amended) The method according to claim 18, wherein the allocation units have a quantity of either one of transmittable information bits, Internet Protocol (IP) internet protocol packets, code blocks or modulation symbols.

30. (Currently Amended) The method according to claim 18, wherein the minimum resource parameter is signaled by the communication unit on a separate control channel associated to ~~a the~~ data channel over which the allocation units are transmitted.

31-33. (Cancelled)

34. (Currently Amended) A base station for use in of a wireless communication network, comprising:

a processing section configured to obtain, from a mobile terminal, means for obtaining a
minimum resource parameter ~~that wherein said minimum resource parameter~~ indicates a
minimum number of allocation units for a service or user ~~of resources allocated to a~~
~~communication unit~~ in a scheduling frame to meet a resource constraint of the mobile terminal,
and

a scheduler configured to schedule, in the scheduling frame, resources to the means for scheduling allocation units for at least one of transmission and reception to a mobile terminal in a form of allocation units and in accordance with the minimum resource parameter, wherein the scheduler schedules the allocation units to the mobile terminal only if the minimum number of allocation units indicated by the minimum resource parameter can be scheduled for the service or user of the mobile terminal within the scheduling frame.

35-46. (Cancelled)